

FILED

2019 MAY 31 PM 2:53

3a AMY J HUNLEY
CLERK OF SUPERIOR COURT
BY
DEPUTY

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF COCHISE

Case No. CR201800385

JUDGE LAURA CARDINAL
DIVISION ONE

**MOTION TO SUBMIT RECORDED
STATEMENTS FOR CONSIDERATION
OF OTHER ACTS EVIDENCE**

Defendant.

During the evidentiary hearing on February 20, 2019, the Court allowed the State to complete translations of interviews in this matter that were completed in Spanish and provide those transcripts to the Court for consideration as it evaluates the State's request to present other acts evidence. *See* Hearing Transcript at pp. 14-18, 119-124. The State completed the transcripts and provided them to counsel for the Defendant. The State has not received any objections or assertions that the translations are not accurate.

///

///

1 Excepting two transcripts that are offered under seal pursuant to Section 12.3
2 of the Protective Order entered in this case, attached hereto are the following
3 proposed Exhibits:¹

- 4 a. Transcript of Defendant's interview, State's disclosure pp. 125-168,
5 submitted as State's **Proposed Exhibit 8**;
- 6 b. Transcripts of three interviews of Francisca Carrillo, State's disclosure
7 pp. 88-124, 291-332, and 333-361, submitted as State's **proposed**
8 **Exhibits 9, 10, and 11**;
- 9 c. Transcript of the Forensic Interview of E.G., State's disclosure pp. 179-
10 212, submitted *under seal* as State's **proposed Exhibit 12**;
- 11 d. Transcript of the Forensic Interview of Y.G., State's disclosure pp. 213-
12 261, submitted *under seal* as State's **proposed Exhibit 13**; and
- 13 e. Transcript of Olivia Joy, submitted as State's **proposed Exhibit 14**.

14 These transcripts are properly considered at this stage of the proceedings,² and
15 there is no prejudice to Defendant, who has had the audio of these recordings since
16 August 2018 at the latest, and has had the transcripts for several weeks or months.
17 The State asks that the Court accept and enter all proposed Exhibits, and consider the
18

19 1 The numbering of the Exhibits is a continuation of the Exhibits that the State
20 offered at the February 20, 2019 Other Acts Evidentiary Hearing. The Court admitted
21 State's offered Exhibits 1-7 during the hearing, so the Exhibits proposed herein begin
22 at State's Exhibit 8.

23 2 See *State v. James*, 242 Ariz. 126, 132, 393 P.3d 467, 473 (Ct. App. 2017), *review*
24 *denied* (Sept. 12, 2017) (upholding finding of admissibility of other acts evidence
25 despite absence of live testimony, observing that "[t]he court read a transcript of
26 T.H.'s forensic interview and a transcript of the confrontation call between T.H. and
27 James."). In addition to recorded statement, this Court may also consider police
28 reports. See *State v. Gehon*, 2017 WL 6459764, at *5 (Ariz. Ct. App. Dec. 19, 2017)
("Contrary to Gehon's argument, the governing rules and relevant case law neither
require live testimony nor categorically restrict the types of evidence a trial court may
consider in determining the admissibility of other-act evidence."). The *Gehon* opinion
may be accessed by this court via the following hyperlink:
<https://www.casemine.com/judgement/us/5a4cd92aadd7b061690da3f6>.

1 information contained therein in evaluating the State's request to present other acts
2 pursuant to Rule 404(b) and (c), Arizona Rules of Evidence.
3

4 A proposed form of Order is submitted herewith.

5 RESPECTFULLY SUBMITTED this 31st day of May, 2019.

6 COCHISE COUNTY ATTORNEY

7 BY:

8 
Sara V. Ransom

9 Deputy County Attorney

10 ORIGINAL Notice filed this 31st day of May, 2019 with the Clerk of the Cochise
11 County Superior Court.

12 Copies mailed/delivered this 31st day of May, 2019, to:

13 Judge Laura Cardinal
14 Division 1, Cochise County Superior Court
Bisbee, AZ 85604

15 Xochitl Orozco, Esq.
16 Cochise County Office of the Legal Advocate
Counsel for Defendant
17
18
19
20
21
22
23
24
25
26
27
28



COCHISE COUNTY SHERIFF'S OFFICE

205 N. JUDD DRIVE
BISBEE, ARIZONA 85603

LEGEND:

18-12272

A: Detective Juan Carlos Hoke
B: Detective Jesus Davidson
C: Luis Siqueiros Medina

A: Today's date is Monday April 16th of 2018, time now is 1017 hours. Myself, Detective Jesus Davidson, with the Cochise County Sheriff's Office. I'm here at the Sierra Vista Detective's Office. Ah, with me is Detective...

B: Juan Carlos Hoke with the Sheriff's Department Cochise County.

A: And in front of me, sir if you could ah say your name please?

C: My name is Luis Siqueiros.

A: And Luis what is your date of birth?

C: May 20th, 1973.

A: Okay, now now Luis before we get started I'm gonna read you your rights okay?

C: Okay.

A: Would you prefer that in English or and in Spanish?

C: Español por favor.

In Spanish please.

A: Español okay, usted tiene el derecho de guardar silencio me entiendes si o no?

Spanish okay, you have the right to remain silent you understand yes or no?

C: Si.

Yes.

A: Cualquier cosa que usted diga puede..

Anything you say can...

1 B: You know what let me have this.
2 A: Puede y será lo voy a repetir esa bueno?
3 *Can and will I am going to repeat that one okay?*
4 C: Uh huh.
5 A: Cualquier cosa que usted diga puede y será usada encontrar de usted en un tribunal,
6 entiendes si o no?
7 *Anything you say can and will be used against you in a court of law, do you understand*
8 *yes or no?*
9 C: Si.
10 Yes.
11 A: Tiene el derecho de consultar a un abogado y de que el esté presente durante la
12 interrogación, entiendes si o no?
13 *You have the right to talk to a lawyer and have him present with you while you are being*
14 *questioned, do you understand yes or no?*
15 C: Si.
16 Yes.
17 A: Si usted no tiene los medios para contratar a un abogado, uno se nombrar para que le lo
18 represente antes de cualquier interrogación si usted lo desea, entiendes si o no?
19 *If you cannot afford to hire a lawyer, one will be appointed to represent you before any*
20 *questioning if you wish, do you understand yes or no?*
21 C: Si.
22 Yes.
23 A: Usted puede desdecir a cualquier momento a ejercitar estos derechos y no contestar
24 preguntas ni hacer declaraciones, entiendes si o no?
25 *You can decide at any time to exercise these rights and not answer any questions or make*
26 *any statements, do you understand yes or no?*
27 C: Si.
28 Yes.
29 A: Entiende usted cada uno de los derechos que le a explicado?
30 *Do you understand each of these rights I have explained to you?*
31 C: Si.
32 Yes.

1 A: Teniendo estos derechos en mente desea hablar con nosotros y?
2 *Having these rights in mind do you wish to talk to us today?*
3 C: Si.
4 Yes.
5 A: Okay, ah en donde usted nacio?
6 *Okay, ah where were you born?*
7 C: Cananea Sonora.
8 A: En Cananea.
9 *In Cananea.*
10 C: Uh huh.
11 A: Usted es residente aquí o?
12 *Are you a resident of here or?*
13 C: Residente.
14 *Resident.*
15 A: O ciudadano?
16 *Or citizen?*
17 C: Residente.
18 *Resident.*
19 A: Residente?
20 *Resident?*
21 C: Uh huh.
22 B: Traes tu pasaporte?
23 *Do you have your passport?*
24 C: (Inaudible)
25 B: Su resident alien?
26 *You're resident alien?*
27 C: Nada nada me dejaron agarra.
28 *Nothing they did let me grab anything.*
29 B: Andale pero traes el el...
30 *But you have the the...*
31 C: Ay lo tengo en la casa si ay esta todo.
32 *I have it there at the house everything is there.*

1 B: Andale uh huh oka.
2 *Alright uh huh okay.*
3 A: Ah, usted tiene alguna idea porque esta aquí hoy?
4 *Ah, do you have any idea why you are here today?*
5 C: Ya me iba amenazado mi hijo.
6 *My son had already threatened me.*
7 A: Ah cual?
8 *Which one?*
9 C: Mi hijo L.
10 *My son L.*
11 A: Ah okay.
12 C: Me dijo que mi iba que que.
13 *He told me that he was going to to.*
14 A: Como se escribe su.
15 *How does he write his.*
16 C: L-
17 A: Okay ese?
18 *Okay that one?*
19 C: Uh huh si que me que me iba undir y que me iba quitar la casa porque la casa estaba en el
20 nombre de el. El se lo dijo a su madrastra y su madrastra me dijo a mi antes que nos
21 anojaramos. Yo ya ya me imaginada el otro dia. Pues yo les tenia rentada la traila de ayi
22 de atrás a David otro otro compañero de ahí de el trabajo.
23 *Uh huh yes that he was that he was going to take me down and was going to take the*
24 *house away from me because the house was under his name. He told his step mother and*
25 *his step mother told me right before we had got mad. I already imagined it the other day.*
26 *Well I had rented the trailer in the back to David another another co worker from work.*
27 A: Como se llama el David?
28 *What is David's name?*
29 C: David Canedo, yo le tenia.
30 *David Canedo, I had.*
31 A: Canedo?
32 C: Si Canedo le tenia rentada la traila de ahí de atrás y resulta de que cuando nos peleamos

1 mi novia y yo agrada la la correr y lo primero que hizo se fue se
2 metio a la casa de la de ahí con David.

3 *Yes Canedo, I rented the back trailer to him and what happened was when my girlfriend*
4 *and I got in an argument and I had kicked her out the first thing she did was go in there*
5 *she went to stay at David's house.*

6 B: Con el David.

7 *With David.*

8 C: Al ratito me la me la hermana de ella de Mexico me mando unos mensajes que pedo si es
9 sierto con mi hermana ya tiene nuevo marido me dice que se llama David. Hasta mi papa
10 platico ya con el y lo tengo mensajes en mi teléfono. Son son muchas cositas son muchos
11 detalles que la que mi hijo me dijo que me iba hacer (inaudible). Mi hijo me tiene un
12 coraje pero por que por que se estaba metiendo con mi señora también.

13 *Later the the her sister from Mexico sent me messages what's up is it true my sister has a*
14 *new man that they call him David. Even my dad talked to him already and I have the*
15 *messages on my phone. It's it's a lot of things a lot of details that that my son told me he*
16 *was going to (inaudible). My son is very upset with me but because because he was also*
17 *sleeping with my girlfriend.*

18 B: Como?

19 *How?*

20 C: Se estaba metiendo con mi señora.

21 *He was sleeping with my girlfriend.*

22 B: Tu hijo L ?

23 *Your son L ?*

24 C: Si si.

25 *Yes yes.*

26 A: Explica me metiendo?

27 *Explain to me sleeping?*

28 C: Yo digo que estaban juntos ellos dos. Cuando yo no estaba ellos se apovechaban y hacien
29 cosas porque cuando yo llegaba lo encontraba en la cama con mi señora.

30 *I say they were both together. When I was not around they would take advantage and*
31 *would do things because why when I would arrive I would find him in bed with my*
32 *girlfriend.*

2/15/88:55:55:11

1 B: Platicaste con el L para que te haga eso es la verda?

2 *Did you talk to L to see if that is the truth?*

3 C: No si ya es se hizo muy enojado muy en en como en disgustado con migo y y cuando
4 correr a ella el también se fue. Es la segunda vez que el se iba. La primera vez el se fue
5 para Calvorca Mexico. Yo lo mande trae no mas le dije que se venirera porque andaba
6 batallando mucho. Vendio el carro aya el tenia tres muy muy irresponsable. Tenia tres
7 tickets yo viene aquí a la corte arreglar por el lo íbamos hacer en pagos derecho de mi
8 dinero. Yo paque con mi trajeta yo lo anduve pagando.

9 *No there he already was very mad very ah ah how ah disgusted with me and and when I*
10 *kicked her out he left also. This is the second time that he has left. The first time that he*
11 *left was to Calvorca Mexico. I sent for him I just told him to come back because he was*
12 *struggling a lot. He sold his car over there he is very irresponsible. He had three tickets*
13 *that I went to court to make arreangements for him to make payments which I made with*
14 *my money. I paid with my card I was paying for them.*

15 B: Espera me un platicaste con el L de este cosa con tu novia?

16 *Did you talk with L about this issue with your girlfriend?*

17 C: No no pero yo yo lo que.

18 *No no but that is what I.*

19 B: Por que no (inaudible).

20 *Why not (inaudible).*

21 C: No no por que lo lo vea osea como yo tenia un negocio aquí en el highway 92 ah Hutch
22 my Hobby, carrito de de control remote. Y en mi negocio yo tenia camaras. Cuando yo
23 cerre mi negocio, me lleve las camaras para la casa y para no (inaudible) las agarre y las
24 puse. Entonces ahí en frente de la de la recamara esta la (inaudible) donde uno ve las
25 camaras. Que cualsalidad cuando yo llegaba estaban acostados en la cama. No estaban
26 haciendo nada pero que negocios tenían yo le dije muchas veces, yo no te quiero en mi
27 recamara.

28 *No no because I would see how I had a business here on Highway 92 ah Hutch my*
29 *Hobby, remote control cars. And at my business I had camaras. When I closed my*
30 *business, I took the camaras to my house and so I would not (inaudible) I got them and*
31 *put them up. So right there in front of the bedroom is the (inauidlbe) where one can see*
32 *the camaras. What coincidence when I arrived they were both laying down on the bed.*

11:53:38 306/207/12

1 *They were not doing anything but what business do they have told him many times, I do*
2 *not want you in my bedroom.*

3 B: Pero nunca nunca miraba?

4 *But you never saw?*

5 C: No pero para mi me mi sospicas es que si que tenían algo que ver.

6 *No but for me my suspicions were that they did have something.*

7 A: Okay pero nunca miraste (inaudible).

8 *Okay but you never saw (inaudible).*

9 C: No yo nunca vi nunca mire nada pero yo lo corri de la cama.

10 *No I never saw anything saw nothing but I did kick him out my bed.*

11 A: Okay.

12 B: No mas estabas pensando eso esta pasado.

13 *You were only thinking that there was something happening.*

14 C: Yo no esta si yo lo pensé yo lo pensé que eso y el le dijo um um antes que se me enojara
15 con con la con la con Janet el le dijo yo voy a seguir a mi apa porque la casa esta en mi
16 nombre si la voy aquitar. Tambien le dijo que me que me iba robar un carro que me iba
17 robar un carro para ir a trae su novia um a Caborca.

18 *I did not yes I did think that I thought that and he had said um um before he had got mad*
19 *with with Janet he had said that he was going to go wherever I went because he was*
20 *going to take the house away from me because it was under his name. He also told her*
21 *that he was going to steal a car he was going to steal my car and was going to bring his*
22 *girlfriend from Caborca.*

23 A: Y te robo el carro ese o no?

24 *And did he steal your car or no?*

25 C: No pero ah no apenas acaba decir eso hace poquito que me iba robar el carro y que se iba
26 ir para aya.

27 *No but ah no he barely said that a while back that he was going to steal the car and he*
28 *was going to go over there.*

29 A: Cuando fue la ultima vez que hablo con L :?

30 *When was the last time you spoke to L ?*

31 C: Con L , pues yo lo veo en la tienda la tienda trabaja pero hablar hablar no hemos
32 hablado para nada y el le dijo a una prima hermana una prima mia también lo mismo que

3/58/88:58:58:11

1 le estoy diceindo y usted y mi hijo J le puede decir lo smo me entiende. Ay
2 están las camaras tengo como le digo mensajes tengo eso donde yo ya me iba yo mas o
3 menos me (inaudible) me entiende yo se.
4 *With L, well I see him at the store he works at the store but talk talk no we haven't*
5 *talked for nothing and he told a cousin sister a cousin of mine the same thing also that I*
6 *am telling you and my son, J, can tell you the same thing you understand. There is*
7 *the camaras that I have like I told you and messages also I have that I was going more or*
8 *less (inaudible) you understand I know.*
9 B: Nunca platicaste con tu novia para para chequiar...
10 *You never spoke with your girlfriend to check...*
11 C: Y no le dije que si le dije que si...
12 *And I told her yes I told her that yes...*
13 B: A dormido con mi hijo?
14 *Have you slept with my son?*
15 C: No no nunca le dije.
16 *No never I never told her.*
17 B: Nunca? Nada Nada?
18 *Never? Nothing nothing?*
19 C: Nunca le dije nada.
20 *I never told her anything.*
21 B: A nadien?
22 *To nobody?*
23 C: Ah
24 B: No dejiste nada a nadien?
25 *You didnt say anything to no one?*
26 C: No no.
27 B: Que tu estabas pensando.
28 *That you were thinking.*
29 C: No aca J mi hijo no mas a el otro el que esta en Tombstone en la escuela a ese yo le
30 dije que yo creo que ellos tienen algo que ve le dije.
31 *No my son the other one, J, only the one that is in school in Tombstone to him I did*
32 *tell him that I believe these two have something I told him.*

- 1 B: Cuando dijiste eso(el J. :?
2 *When did you tell J. this?*
3 C: Ah hace un par de semanas.
4 *It's been a couple of weeks.*
5 B: Un semana?
6 *A week?*
7 C: Un par de semanas like a couple of weeks.
8 *A couple of weeks like a couple of weeks.*
9 B: Couple weeks?
10 C: Uh huh.
11 B: Que dijo el J. ?
12 *What did J. say?*
13 C: Sabe apa me dijo y y a mi mama también yo le iba dicho porque las...
14 *He said I don't know dad and and my mom also I had told her because...*
15 B: (Inaudible)
16 C: La sos el sospe sospechas me entiende estaban muy graves.
17 *The sus the suspi suspicions you understand were really bad.*
18 B: J. se llama?
19 *His name is J. ?*
20 C: J. a mi hijo si J. M. S
21 *J. my son yes J. M. S*
22 B: Y que dijo J. ? No papa o si papa.
23 *And what did J. say? No dad or yes dad.*
24 C: Sabe sabe apa me dice sabe apa me dijo.
25 *He would say I don't know dad I don't know he said.*
26 A: Que es la fecha nacimiento de de J. ?
27 *What is J. date of birth?*
28 C: J.
29 J.
30 A: Tiene dice siete años?
31 *He is seventeen years old?*
32 C: Si va cumplir diez ocho en

1 *Yes he is going to be eighteen on*

2 A: Okay.

3 C: Y si es todo eso por lo que por lo por mi hijo?

4 *And all this is because of my son?*

5 A: No.

6 C: No es por otra cosa?

7 *No its for something else?*

8 A: Si por otra cosa.

9 *Yes for something else.*

10 C: Uh huh.

11 A: Um tenemos un reporte.

12 *Um we have a report.*

13 C: Uh huh.

14 A: Ah que unos niños fueron ah tentado por usted.

15 *Ah that some children were touched by you.*

16 C: Sshh hijo la fregara, los niños de mi señora?

17 *Sshh oh my gosh, my girlfriend's kids?*

18 A: Uh huh.

19 C: Hablen con los niños y que que lo agarren y los y los.

20 *Talk to the children and get them to to for them to for them to.*

21 A: Hablamos con los niños bueno.

22 *We spoke to the children okay.*

23 B: Nosotros no.

24 *No us.*

25 A: Nosotros no.

26 *Not us.*

27 C: Uh huh.

28 A: Ah en Tucson.

29 *Ah in Tucson*

30 C: Uh huh.

31 A: En una parte donde hacen entrevistas forense.

32 *At a place where they do forensic interviews.*

1 C: Uh huh.

2 A: Y los niños explicaron cada vez que usted los tento.

3 *And the children explained each time that you had touched them.*

4 C: Eso es una gran mentira eso no.

5 *That is a big lie that no.*

6 B: Mas con el EG

7 *More with EG*

8 A: Mas con el EG

9 *More with EG*

10 C: Mas con el EG ? No son metiras es una big mentira.

11 *More with EG ? No those are lies a big lie.*

12 A: Y entonces porque.

13 *And then why.*

14 C: Y fijese y fijese que el David le grito a mi hijo le grito a mi hijo nos vamos a chingar a tu

15 papa porque porque el molesto molesta a los niños. Le dijo eso como un mes cunado yo

16 los corri de mi casa porque por los estaba corriendo. Tienen tres meses tenían tres meses

17 ahí el David y nunca me pago niguna renta y todavía se estaba metiendo con mi señora y

18 eso lo tengo en mensajes de la familia de ella que me llegaron aquí porque llegamos de

19 Diciembre nosotros que no viviamos juntos. Ella vivia en su recamara en a dentro y yo y

20 yo dormia afuera y de afuera a el trabajo de el trabajo a la casa no mas yo. Yo no quería

21 nada con ella porque ella se andaba ofreciendo con otros con otros muchachos de aquí de

22 Sierra Vista y pues yo la corri pero por por por me estaba poniendo los cuarnos o esta

23 ententando de poner me los. Yo nun yo nunca ay dios mio dios mio no puedo cree que

24 esto fijese no mas.

25 *And check this out and check this out, David had yelled to my son he yelled to my son we*

26 *are going to take your dad down because because he molested molested the children. He*

27 *told him that about a month when I kicked them out of my house because I was kicking*

28 *them out why because he had three months David had three months there and never paid*

29 *me never paid rent and he was also sleeping with my girlfriend and I have that in*

30 *messages from her family that I got when I was here because we have since December*

31 *that we don't live together. She stayed in the bedroom inside and I and I slept outside*

32 *and from outside to work from work to the house just me. I did not want nothing to do*

1 with her because she was offering herself to others other me from here in Sierra Vista
2 and well I kicked her out but because she was cheating on me or was planning on
3 cheating on me. I nev I never oh my god oh my god you know what I can't believe this.

4 B: Luis no ay uno ni uno niño.

5 Luis there is not just one not just one child.

6 C: Ah.

7 B: No ay dos.

8 There are not two.

9 C: Uh huh.

10 B: Ay tres.

11 There are three.

12 C: Tres niños?

13 Three kids?

14 A: Uh huh.

15 C: Y donde esta el otro?

16 And where is the other one?

17 B: Digale.

18 Tell him.

19 A: Es su hijo.

20 It's your son.

21 C: Claro que si iban de ponder de acuerdo claro que que iban a decir hasta lo que no.

22 Clearly they were going to get together to say the same thing clearly they were going to
23 say anything they wanted.

24 B: Tu hijo.

25 Your son.

26 C: Mire yo eh hablado a la policia muchas veces okay por como como se aportado en mi
27 casa el L. Usted cree que si el fuera tenido algo que decir asi no lo fuera dicho antes?
28 Y ay reportes una vez que que me agarro y me queria pegar varias veces han ido a mi
29 casa. Y el L como le digo el es que me que me dijo que iba hacer un para quitar me
30 la casa.

31 Look I have called the police several times okay because of how L has acted at my
32 house. Do you not think if he would of had anything to say that he would of said

1 *something before? I had there are reports of one time when I grabbed me and he wanted*
2 *to hit me so they have went several times to my house. And like I tell you L had told*
3 *me that he was going to do something to take the house away from me.*
4 A: Y como le dije los niños fueron entrevistados por una una parte especialisa en
5 *entrevistadsa con niños forenses.*
6 *And like I told you the children were interviewed by a place where they specialize in*
7 *forensic interviews of children.*
8 C: Uh huh uh huh.
9 A: Y los ninos dieron detalles como paso todo esto.
10 *And the children gave details of how all this happened.*
11 C: Uh huh.
12 B: Los los días cuan cuan.
13 *The the days when when.*
14 A: Cuantas veces.
15 *How many times.*
16 C: No mentiras, yo sabia lo que pasaba por meses aquí se iba para Mexico. Como me
17 *nombre no.*
18 *No that's a lie, I know what would happened for months here when she would leave to*
19 *Mexico. How am I not going to know.*
20 B: Recuerdas una vez cunado estaban muy mojados los niños si estaban jugando? Recuerda
21 *esa vez? Estaban jugando y estaban mojado con agua.*
22 *Do you remember one time when the children were very wet when they were playing?*
23 *Do you remember that time? They were playing and were getting wet with water.*
24 C: El ano pasado en en.
25 *Last year in in.*
26 B: Recuerdas esa vez?
27 *Do you remember that time?*
28 C: Si me acuerdo que ahí estábamos.
29 *Yes I do remember we were there.*
30 B: Di diga le a el oficial lo lo nosotros que paso ese dia?
31 *Tell the officer tell us what happened that day?*
32 C: Que estaban muy mojados se agarron y se embicharon y andaban corriendo por el por

- 1 todo la por todo el ropiedad.
2 *They were very wet and they had got undressed and were running through throughout the*
3 *property.*
4 B: No mas es eso?
5 *Is that all?*
6 C: Si no mas eso.
7 *Yes that is all.*
8 B: No tienes fotos de eso?
9 *Did you have photos of that?*
10 C: Si ay fotos están en el google en mi google.
11 *Yes there is photos they are in google in my google.*
12 B: Ay fotos de eso que no?
13 *There are photos of that right?*
14 C: Uh huh si y ellos y por que la mama se lo autorizaba los dejo que se lo quitaran y ya
15 andaban corriendo.
16 *Uh huh yes and they and because their mother allowed it and let them take it off and they*
17 *were already running.*
18 B: Dijieron eso pero es uno mas cosas de ese dia de la platica con usted y ellos.
19 *They said that but there is also one more thing from that day that was talked about with*
20 *you and them.*
21 C: No.
22 B: Y pero oye me.
23 *And but hear me out.*
24 C: La la familia ah.
25 *The the family ah.*
26 B: Oye me esperame.
27 *Hold on hear me out.*
28 C: Ok perdóna me uh huh.
29 *Okay I'm sorry uh huh.*
30 B: Y digan mas de otros días de cosas no es una vez.
31 *And they talked about other days this was not the only time.*
32 C: No no es verda.

1 *No no it is not true*
2 B: Nunca tentaste a el *EG*
3 *You never touched. EG*
4 C: Nnn mire.
5 *Nnn look.*
6 B: La verda que que va usted oye piensa esto bien.
7 *The truth that that you listen think about this good.*
8 C: Uh huh.
9 B: Orita que va ayudar usted es la verda.
10 *Right now what is going to help you is the truth.*
11 C: Uh huh.
12 B: Eso es que va como me dice con la ley orita ay tres personas.
13 *This is what is going how do you say it with the law, right now there are three people.*
14 C: Uh huh.
15 B: De fue enfrente de el juez.
16 *That will go in front of the judge.*
17 C: Uh huh.
18 B: Para testigar cosas.
19 *To testify things.*
20 C: Uh huh.
21 B: El oficial se fue con los niños.
22 *The officer went with the children.*
23 C: Uh huh.
24 B: Para aser el forensic interview.
25 *To do the forensic interview.*
26 C: Uh huh.
27 B: En Tucson con los especialistas.
28 *In Tucson with the specialists.*
29 C: Si.
30 *Yes.*
31 B: Todo eso es en la ley aquí en Estados Unidos muy pesado.
32 *All that is very big charge here in the United States.*

11:56:34 AM 06/09/11

111553854858931

1 C: Si ya se yo se.
2 *Yes I know I know.*
3 B: Muy pesado pero cuando un persona cuando están haciendo el interview los policías los
4 otros con usted.
5 *It is very bad but when a person that is doing the interview the other police with you.*
6 C: Uh huh.
7 B: Y diga la verda la verda los otros podemos platicar con el County Attorney para para dijir
8 esto es pasa esta pasaando.
9 *And says the truth the truth the others can talk to the County Attorney to tell them what*
10 *happened what is happening.*
11 C: Uh huh.
12 B: Y es posible de es algo de tu no estas dijiendo de cuando los otros saben todo la cosa y y
13 y por esta es la cosa los otros los otros piensa de todo le esta dijiendo es la verda de los
14 niños.
15 *And it's posible that there is something you are not saying that the others know*
16 *everything and and because of this others wonder if you are telling the truth or the*
17 *children.*
18 C: Uh huh.
19 B: Entonces necsesitas a decir la verda.
20 *So then you need to tell the truth.*
21 C: Yo como mire.
22 *How I look.*
23 B: La verda con el oficial aquí también.
24 *Also say the truth with the officer here too.*
25 C: Ah los niños cuando eso me lo platico ella cuando cuando estaba en Magdalena.
26 *Ah the children when she was in Magdalena she had told me this.*
27 B: Ay mas cosas.
28 *There is other stuff.*
29 C: Ah niños cuando nacieron no les no los cortaron entonces se quejaban mucho los dos.
30 *When the children were born they were not circumcised so they both were always*
31 *complaining.*
32 B: Banaste con ellos?

11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32

You took a shower h them?

C: De que de que esta tenían pegada la cabezita con con el deste entonces yo por teléfono les decía que se la agarren y se la vayan pelando se la vayan pelando hasta que se le vaya quitando. Yo creo por eso fue también yo como como le digo yo les ay yo les dije como hacer se lo como hacer se lo y duraron como unos tres cuatro meses para despegarse el cuerito de la de el que estaba pegado.

That that they had their head stuck with the the thing so by telephone I was telling them to get it and for them to slowing peel for them to peel it until it comes apart. I think because of this also how like I tell you I had told them how to do it how to do that and they lasted like three four months trying to peel the skin from the where it was sticking together.

A: Y tu no les ayudaste?

And you did not help them?

C: No ayudar le ayudar le no y ella estaba presente ahí todo el tiempo nunca.

No help them no not help them and she was present the whole time never.

B: Luis Luis oye me.

Luis Luis listen to me.

C: Ay dios mio.

Oh my god.

B: Recuerdas el día cundo YG estaba en el bano banado se?

Do you remember when YG was in the bathroom taking a shower?

C: Uh huh.

B: Y tu entraste a el bano y tu ayudas ayudo a el para liempiar el el cuerno el como se dice ese?

And you entered the bathroom and you helped him to help him clean the skin the how do you say it?

C: Uh huh si estaba estaba lo tenia pegado y yo le dije y todo el tiempo los dos juntos ibamos todo el tiempo los dos juntos. Mira tienes que tienen que despegar se le eso le digo porque y luego derecho le dije que si lo podíamos llevar para Magdalena para que. Uh huh yes it was it was he had it stuck and I told him and the whole time we would both go together. Look you have to do this to peel it I said because and then I said if we can take them to Magdalena to.

1 B: Pero lo tentaste.
2 *But you touched it.*
3 C: No no no yo le decía.
4 *No no I was telling them.*
5 B: El dijo de tu lavas tu ayudo a lavar.
6 *He said that you helped wash that you helped wash him.*
7 C: No no yo le agarre ella le decía ahí despégale por favor eso pero yo de tentar los es mas si
8 si.
9 *No no I got here and told her to please help him peel it but for me to touch them you*
10 *actually yes yes.*
11 B: You were there he says that he touched me.
12 C: No no no.
13 B: That he that he washed him he walked in saw him there J you know what what went
14 on there so I mean that's just another thing that he's saying that that that.
15 C: Que estaban malitos?
16 *That they were sick?*
17 B: That backs up even the things that like today when he was when they were both him and
18 E they were wet and ah and you know that.
19 A: Mire mire Luis.
20 *Look look Luis.*
21 C: Uh huh.
22 A: No sabe si usted entiende la ley aquí...
23 *I dont know if you understand the law here...*
24 B: The only thing that's going to help this guy out is gonna be the truth.
25 A: En en en Estados Unidos no?
26 *In the United States right?*
27 C: Uh huh.
28 A: Pero mintiendo le a dos officials minimal cinco anos en la cárcel.
29 *But lying to officers is a minimum of five years in jail.*
30 C: Pero yo no le estoy meintiendo.
31 *But I am not lying to you.*
32 A: Okay no mas le estoy avisando okay.

111555374858031

- 1 *Okay but I am only* *ting you know okay.*
- 2 C: Me puedes dar mas agua por favor?
- 3 *Can I have more water please?*
- 4 B: Ah that's the only bottle (inaudible).
- 5 A: Orita que terminamos.
- 6 *Right now when we finish.*
- 7 B: Esperase un momento.
- 8 *Wait a moment.*
- 9 C: Uh huh.
- 10 A: Um hoy y ya es la ves que se lo saque todo de el pecho. Entiende yo que usted que su
- 11 mama sabe que usted es gay no?
- 12 *Um now is the time for you to get stuff off your chest. I understand that your mom knows*
- 13 *that you are gay?*
- 14 C: Yo no soy gay.
- 15 *I am not gay.*
- 16 A: Entonces por que su mama le dijo eso a Francisca?
- 17 *Then why did your mom tell that to Francisca?*
- 18 C: No están inventando un bonton de cosas.
- 19 *No they are inventing a bunch of stuff.*
- 20 B: Tu mama?
- 21 *Your mom?*
- 22 C: No la la Francisca.
- 23 *No Francisca is.*
- 24 B: Um.
- 25 C: No no es sierto.
- 26 *No no that is not true.*
- 27 A: Hace entender como dos niños y uno que esta una poco malito usted sabe eso (inaudible).
- 28 *You need to understand that two kids and one that is a little sick you know that*
- 29 *(inaudible).*
- 30 C: Si esta malito y ella se aprovecha mucho de eso también. Lo maltrataba mucho.
- 31 *Yes he is sick and she takes advantage of that a lot also. She mistreats him a lot.*
- 32 A: Y...

150

1 And...

2 C: Y era el único que me seguía a mí porque lo maltrataba.

3 *And he was the only one that would follow me because she mistreated him.*

4 A: Porque esos niños estuvieran ah dijieran estas cosas de que usted los tento?

5 *Then why would these children say these things that you would touch them?*

6 C: Porque el L es el de todo el baruyo.

7 *Because L is the one causing all this.*

8 A: No.

9 C: Ay esta mi otro hijo agarren lo y preguntarle.

10 *My other son is there why don't you get him and ask him.*

11 B: Deja me deja me decir otra cosa.

12 *Let me tell let me tell you another thing.*

13 C: Uh huh.

14 B: Y piensa esto muy bien que que me voy dejarte. Orita tienes computers ahí, tienes video

15 de la casa, tienes tu cell phones y todo eso. Los otros tenemos un investigar investigar

16 how do you say it?

17 *And think about this very good what I am about to tell you. Right now you have*

18 *computers there, you have video in your house, you have cell phones and all that. We*

19 *have investigator investigator how do you say it?*

20 A: Investigador.

21 *Investigator.*

22 C: Investigador.

23 *Investigator.*

24 B: There you go.

25 C: Uh huh.

26 B: Mi Espanol no es muy bueno.

27 *My Spanish is not that good.*

28 C: No se precupe.

29 *Dont worry.*

30 B: Y el no mas hace forestics de el electric.

31 *And he doesn't only do forensics on electronics.*

32 C: Uh huh.

1 B: De los computers, los phones, de los camaras.
 2 Of computers, of phones, of camaras.
 3 C: Uh huh.
 4 B: Y cuando el chequeia todo eso porque va chequeiar todo eso los otros van hace otro
 5 warrant para entrar al hard se llama harddrive.
 6 *And when he checks all tht because he will check everything we will be getting a warrant*
 7 *to check the hard it is called a harddrive.*
 8 C: Uh huh.
 9 B: De los computers y todo.
 10 *And the computers and all that.*
 11 C: Uh huh.
 12 B: Algo va va tener algo yo pien piensa. Va tener cosas de de personas yo qerio.
 13 *I think there will be something there. I think there will be something involving people.*
 14 C: Ay están todo lo puedo todos lo pueden ver.
 15 *There is everything everyone can see them.*
 16 B: Ay ay no va encontrar.
 17 *There there they will find.*
 18 C: Nada.
 19 *Nothing.*
 20 B: Nada?
 21 *Nothing?*
 22 C: Uh huh.
 23 B: Tu teléfono, los los los computers.
 24 *On your pone the the the computers.*
 25 C: La computer uh huh.
 26 *The computer uh huh.*
 27 B: Y los...
 28 *And the...*
 29 C: Camaras no.
 30 *Camaras right.*
 31 B: Camaras no var ese dia cuando los niños estaban a bichi en el en el la yarda cuando
 32 estaban mojado? Tu sabes de el puede coger quitar todo eso de los camaras. Quien sabe

11:58:38:00

1 aser eso?
2 *On the camaras will it show when the children where getting wet naked outside in the*
3 *yard? You know that you can take that off all the camras. Who knows how to do that?*
4 C: No si ahí están (inaudible).
5 *No yes it is there (inaudible).*
6 B: Entonces eso va a salir en la cámara que no?
7 *So then that is going to come out on the camara right?*
8 C: Tiene que salir tiene que salir no no pasa nada (inaudible).
9 *It has to come out it has to come out nothing happened (inaudible).*
10 B: Y tu estas diciendo no mas ese es el única cosa le va salir en ese cámara?
11 *And you are saying that is the only thing that is going to come out in the camara?*
12 C: Si es lo único que va aser.
13 *Yes that is the only thing that it is going to be.*
14 B: All yours.
15 A: Ah Luis.
16 C: Mandeme.
17 Yes.
18 A: No yo no entiendo como unos niños de esa edad uno malito.
19 *No I dont understand how children that age and one sick.*
20 C: Uh huh.
21 A: Puediera decir las cosas específicamente a como usted los tento. Hace me entender eso.
22 *Can say specific things of how you touched them. Make me understand that.*
23 C: Es que yo yo yo como le dijo el L los esta malipulando y les puedo les puede decir ay
24 usted...
25 *It's because I I like I tell you L manipulated them and he was able to he can tell them*
26 *ah you...*
27 A: Pero el L no estaba ahí. Nadien estaba ahí eran los niños con la persona que hace los
28 entrevistas forestics.
29 *But L was not there. Nobody was there it was just the children and the person who*
30 *does the forensic interviews.*
31 C: No pero ya los ya los ya los aver um tuvieron como un mes juntos. Ya les a de ve dicho
32 hasta lo que no o de que tu tienes que decir haci tu tienes de este otro este otro y ella

11:56:54 506434

también porque él también es así. Yo ya me imaginaba iba a ver algo pero no me imaginaba de esto. Me imaginaba yo no se cual quiera otra cosa menos esto. Porque por que el L me dijo que me iba quitar la casa así y se lo dijo a mi hijo también y se lo dijo a mi prima Ana Luz mira.

No but he had already he had been with them already for a month. He could of already told them who knows what or that you need to say this you need to say that and she did also because she is the same way. I knew something was coming but never imagined it would be this. I imagined other things but never something like this. Because L had told me he was going to take my house away and he had even told my son also and to my cousin Ana Luz look.

A: Pero de la casa no estamos hablando estamos hablando de de lo dos niños es mas ni estamos hablando de Lwyz.

But we are not talking about the house we are talking about the children and you know what we are not even talking about Lwyz.

C: No pues si pero.
No but well.

A: Estamos hablando de el EG + YG.
We are talking about EG + YG.

C: Uh huh si pero como le digo el lo que quieres que a mi me pase algo para el quedarse con la casa porque supuestamente la casa esta a su a su nombre.

Uh huh yeah but like I tell you he wants something to happen to me so that he can stay with the house because supposedly the house is under his name.

A: Esta en su nombre?
Is it under his name?

C: No esta en el nombre mio.
No it is under my name.

A: Entonces porque?
Then why?

C: Pues por eso le anduve gritando por donde quiera. Es mas no mas vayan vay vayan a la escuela a donde estaba donde se acaba de salir de PEP TEC como es la persona mas mentirosa puede aver y es la persona mas a que mueve masas. Ay ahí (inaudible) y le decien el pimp de las a de las a um de las que están en el Mission Mary. Le decien el

1 pimp porque por p... e a todos las trae a todos y ah las las l... nenaba como el quería.
2 *Well that is why I was yelling at him everywhere. You know what go to the go to the*
3 *school where he wa at where he just got out of Pep Tec and you will see he is a big liar*
4 *and is a person who will cause trouble. There (inaudible) they would call him pimp of*
5 *the ones that were at Mission Mary. They called him pimp because he because he would*
6 *bring them to everyone and he would do what he wanted with them.*

7 A: Es posible que usted a la mejor los jugaba con ellos y accidientemente los tentaba o algo
8 asi?

9 *Is it posible that maybe you played with them and you accidentally touched them or*
10 *something like that?*

11 C: No las veces como le digo las veces que sucidieron es porque um estaban estaban malitos
12 yo le decía a su mama y yo ya me imaginaba no no no (inaudible) mira mijito a mi mira
13 hacerle esto y esto por teléfono y es mas en whats app van a encontrar (inaudible) las um
14 las um las um platicas entre ella y yo y mira como le amanicio ahora y le tomaba foto y
15 luego según una vece hace se llenaron de ronchas y yo les compre una pomadas también
16 y le dije ponles estas pomadas. Y ahí va encontra las como te digo la fotos de cómo de
17 cómo de cómo la tenían y hasta el momento de que de que se la depegaron ello solitos.
18 *No the times like I tell you the times when this happened was when they were sick I would*
19 *tell their mother and I imagined that no no no (inaudible) I would say look son do it like*
20 *this and by telephone and you know in wats upp you will find (inaudible) messages*
21 *between me and her and how she would say look how it looks today and would take a*
22 *picture and then one time it also got full of red marks and I had bought a cream also and*
23 *told her to put that cream on them. And on there you will find pictures of how they had it*
24 *and up until when they peeled it off themselves.*

25 A: Y tu le tomaste las fotos?
26 *And you took the pictures?*

27 C: Ella me estaba en Magdalena le tomaba fotos y me las mandaba a mi que hago me decía.
28 *She was in Magdalena and was taking the pictures and sending them to me asking what*
29 *to do.*

30 A: Pero esto hace cuantos anos?
31 *But this was how many years ago?*

32 C: Hace un ano y feria casi dos.

1 *It was a year ago d , almost two years.*

2 A: Ella cuanto tiempo tiene con usted?

3 *How long have she been with you?*

4 C: Aquí tiene un ano y ferisita aquí.

5 *Here she has been a year and some here.*

6 A: Un ano y medio?

7 *A year and a half?*

8 C: Diceimbre (inaudible).

9 *Decmeber (inaudible).*

10 A: En que ano se en que ano se movio par aca?

11 *In what year did she what year did she move over here?*

12 C: El los primeros de Diceimbre vino en su carro resulta que se quedo que que se le quebró

13 el carro aquí.

14 *The beginning of December she came in her car but what happened was she stayed her*

15 *car broke down here.*

16 A: En Diciembre de que ano?

17 *In December of what year?*

18 C: De el dos mil diez siete.

19 *In two thousand and seventeen.*

20 A: Diez siete?

21 *Seventeen?*

22 C: Si dos mil diez siete, se le quedo el carro tierro aquí. Como en um en ah que seria que

23 mes fue la semana santa fue en abril de el ano pasado mayo junio como en junio vino su

24 hermana fue cuando paso lo la unos días antes paso lo de la lo que se mojaron los

25 chamacos y se quitaron la ropa y salio corriendo uno y luego aratito salio corriendo el

26 otro con el permiso de su mama. Aya andaban corriendo como le digo. Vino su hermana

27 la sss la sss como en junio si como junio vino entonices era um y cuando vino su hermana

28 al rato se regreso la hija de ella que es que era la novia del la novia del L . Entonces

29 mi ex agarro y dijo que que suspuestamente hablo ah ustedes yo tenia un bonton de

30 ilegales en la casa y que tenia drogas. Fueron y me espulcaron la casa y pues esculparon

31 todo. Ella se susto mucho y dijo que iba vivir en Agua Prieta. Se fue vevir a Agua Prieta

32 y yo cada fin de semana yo la recoiga venían y luego yo los iba y los dejaba. No mas

1 venían el el Sabadó luego el Domingo los regresaba venir viernes y luego los
2 regresaba el el domingo. Ah cuando estaban aya cuando fueron para aya, los niños me
3 dijeron a mi papa porque mi mama se queda en un carro con con un señor que nos da
4 rayte me dice y y se queda ahí platicando ahí afuera. Luego le dije pues la próxima ves
5 que eso suseda mijito le dije sálganse y luego preguntanle que que es lo que esta pasando
6 a la siguiente semana que veníamos me dijeron que le iba preguntando ah que que los iba
7 hido a dejar los se bajaron los niños y que ellas les dijo metanse y que se trataron de
8 somar y que les dijo di una orden que se metan que asi les fueron las palabras les dijo.
9 Entonces ya me dijeron los niños a mi y yo le dije a ella que si que estaba pasando y que
10 la fregada. Para mi ya ya todo ya balio gorro ya fue en Octubre.

11 *Yes in two thousand and seventeen, her car stayed broken down here. Like in um what*
12 *could it be in what month was it the weekend of Easter in April of last year May June like*
13 *in June her sister came it was a couple of days before the children had got wet and took*
14 *of their clothes and one went out running and then later the other one went out running*
15 *with their mother's permission. They were running out there like I tell you. Her sister*
16 *came later like sss like sss in June yes like in June she came um and when she came later*
17 *her daughter came back whom was L ' girlfriend. So then my ex told them that they*
18 *had called you guys because supposedly I had a bunch of illegals in my house and that I*
19 *had drugs. They went and searched my house and well they searched everything. She*
20 *had got scared and said she was going to go live in Agua Prieta. She went to live in*
21 *Agua Prieta and I would go pick her up every weekend to come and then I would go and*
22 *take them back. They would only come on Saturday and on Sunday I would take them*
23 *back so they can come back Friday and then go back Sunday. Ah when they were over*
24 *there when they had left over there, the children told me that dad why does mom stay in*
25 *the car with the man that gives us a ride they would tell me and and that she would stay*
26 *outside talking. So I told them that the next time this happens I said son go outside and*
27 *ask them that that what is happening and the following week when they came they told me*
28 *that they asked the man when he dropped them off and they got off and she had told them*
29 *to go inside and they had tried to look and that she told them I gave you guys an order to*
30 *go inside that that is what she told them. So then the children told me and I told her what*
31 *what the hell was going on. For me everything went to shit this was in October.*

32 A: Pero cuando se movio ella para aca?

1 *But when did she leave over there?*

2 C: En Diciembre no les en en enero le digo de ano dos mil deis siete.

3 *In December no in Jan January I tell you of two thousand and seventeen.*

4 A: En enero?

5 *In January?*

6 C: Enero dos mil diez siete si y se fue de aquí como en agosto.

7 *January two thousand and seventeen and she left from here like in August.*

8 B: Tu sabias de eso estaba ilegal con la Fed con la Border Patrol?

9 *Did you know that was illegal with the Fed with Border Patrol?*

10 C: Si es que nosotros nos íbamos a casar y de hecho ella se puese un tatauje aquí nosotros ya

11 andábamos aggarando ya buscando...

12 *Yes but it's because we were going to get married and she had got a tattoo here we were*

13 *already getting looking for...*

14 B: Tu sabes de pero tu sabes es contra la ley porque no mas traes el BCC card ella.

15 *You know it is against the law because you only have a BCC card she does.*

16 C: Um.

17 B: No puede vivir aquí. Si...

18 *She can not live here. Yes...*

19 C: Even si nos íbamos a casar?

20 *Even if we were going to get married?*

21 B: Y tiene y tiene papels de la imigracion.

22 *And does she have immigration papers?*

23 C: Y...

24 And...

25 B: Dice ella puede quedar.

26 *She said that she could stay.*

27 C: No no no mas saco...

28 *No no no she just took out...*

29 B: Es ilegal.

30 *She is illegal.*

31 C: Saco un permiso por sies meses y luego saco otro permiso por otro sies meses.

32 *She got permission for six months and then got permission for another six months.*

1 B: No puedes.
2 *You cant.*
3 C: Um.
4 B: El permiso es para entrar y y cruzar no mas no para vevir con usted. Eso es un un caso
5 también con la el Federal government con lo con el Border Patrol Homeland Security.
6 Tu vas a tener problemas con ellos también pero la problema mas grande que traes orita
7 es ay tres personas dos es son niños orita diciendo de tu tento ellos.
8 *The permission is to enter and and to cross only not to live with you. That is a case also*
9 *with the Federal Government with with Border Patrol Homeland Security. You are going*
10 *to have problems with them also but the bigger problem that you have right now is there*
11 *are three people two are children right now are saying that you touched them.*
12 C: No.
13 B: Y ellos van a testigar a eso de hiciste eso.
14 *And they are going to testify to that that you did that.*
15 C: Yo no hice eso.
16 *I didnt do that.*
17 B: Y porque quieren a ser porque quieren dejier mentiras yo se de tu estas diciendo...
18 *And why would they want why would they want to lie for like you are saying...*
19 C: Por que el...
20 *Because he...*
21 B: Tu y la novia no esta bien y y pero los niños no no no hacen mentiras para cosas como
22 asi.
23 *You and your girlfirend are not doing good and and but the children don't don't lie about*
24 *things like that.*
25 C: Es que ella es que ella quiera papels y puede aser por eso si.
26 *It's because she wants she wants papers and she would do it for that yes.*
27 B: Pero como ella no puede con tu no estas pensando la bien como puede tener papels con
28 los hijos diciendo ese estas cosas? Ninos no dicien cosas como esto.
29 *But how is she you are not thinking right how is she going to get papers with her children*
30 *saying things like this? Children don't say things like this.*
31 C: Es que ella mas derecho.
32 *She has more right.*